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LETTER DATED 9 JUNE 1995 FROM THE CHARGE D'AFFAIRES A.I. OF THE PERMANENT MISSION OF THE LIBYAN ARAB JAMAHIRIYA TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

I have the honour to transmit to you herewith the fifth comprehensive report on the damage caused by the implementation of Security Council resolutions 748 (1992) and 883 (1993), which covers the period from 15 April 1992 to 31 December 1994.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Ali Sunni MUNTASSER
Chargé d'affaires a.i.

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Annex

Damage caused by the implementation of Security Council resolutions 748 (1992) and 883 (1993) during the period from 15 April 1992 to 31 December 1994

The adverse impact of the coercive and unjust measures taken against the Libyan Arab people under the Security Council's iniquitous resolutions 748 (1992) and 883 (1993) continues to worsen day by day. The damage caused and the negative consequences have extended to all humanitarian, social and economic aspects of life, have impeded development programmes and have dampened the hopes and aspirations of the Libyan Arab people to achieve further progress and to ensure affluence and stability.

Some particulars of the enormous human and material damage and the huge financial losses sustained by the Libyan Arab people during the period indicated above are given hereunder.

I. HUMANITARIAN CONSEQUENCES

Health and social welfare sector

The sector aims to provide for the health care and social well-being of all members of society and to achieve the goals of "Health for All" and the enhancement of the health and social welfare of all classes of society, as established by the international community through its international and regional organizations and agencies.

It has sustained enormous material damage, and this has had adverse repercussions for all segments of Libyan Arab society and for the expatriates of various nationalities residing in Libya.

Some examples of the damage caused in humanitarian terms and some of the adverse consequences are presented hereunder.

1. Some 13,500 seriously ill patients who could not be treated locally (such as cases requiring heart surgery, kidney transplants, corneal transplants, brain surgery, neurosurgery and spinal marrow transplants or patients requiring treatment for detached retinas, fractures of the spinal column and thorax, serious burns, tumours and malignant diseases, etc.) could not be evacuated by air for treatment in other countries because of the aerial embargo. The embargo is the immediate reason for the delays in transportation that have caused the deaths of most such patients in harsh and tragic circumstances.

2. Medical evacuation by Libyan air ambulance of urgent and emergency cases has encountered many difficulties and obstacles, such as the following:

(a) Clearance by the relevant Security Council Committee of requests relating to medical evacuation for Libyan nationals is delayed, while this is not the case for requests relating to foreign nationals residing in the country.

(b) The Security Council Committee deliberately impedes the use of all Libyan air ambulance aircraft and has restricted clearance to two of them alone, namely one Lockheed L-329 JetStar, registration 5A-DAJ, and one Aérospatiale SN 601 Corvette, registration 5A-DCK, despite the fact that the country has a number of such aircraft equipped for the relevant purpose. The Committee has also blocked the procurement of necessary maintenance and spare parts, whether for these two aircraft or for the other air ambulance aircraft. It should be noted that the SN 601 aircraft has been out of service since 7 August 1994, and this has prevented or limited the safe, speedy and systematic use of all available resources to ensure the provision of humane therapeutic services, without discrimination, to the sick and injured, whether Libyan nationals or subjects of foreign countries of whatever nationality residing in the country.

(c) Flights by the Libyan air ambulance are subject to protracted and complex bureaucratic procedures, as exemplified by delays in obtaining transit and landing permits, required stopovers to take on fuel at intermediate points, and inspections at airports of departure and arrival on both outward and return journeys. This is incompatible with the purely humanitarian and highly urgent purposes of such flights.

(d) More than 570 seriously ill patients have died on the overland journey to airports in neighbouring countries en route overseas, while hoping that their lives might be saved despite the hardships and difficulties facing them along the way.

3. Some 685 infants and 369 mothers have died in childbirth in the various hospitals as a result of delays in the arrival of serums, vaccines and prophylactics that prior to the aerial embargo had been shipped directly by air from the primary suppliers overseas using particular specifications, procedures and arrangements designed to preserve their efficacy and usability and ensure their regular delivery.

4. The incidence and lethality of diabetes has been increasing because there are insufficient quantities of serums available to treat sufferers on a timely basis.

5. There has been a growing shortage of serums and vaccines for children, and this has impeded the implementation of all health programmes connected with national and international immunization campaigns. Libyan and other children have thus been prevented from receiving doses at the times appropriate to their ages and in accordance with the medical guidelines on vaccination laid down by the World Health Organization.

6. Owing to the aerial embargo, there has been a rise in the number of deaths in road accidents because of heavy overland traffic. In view of the great distances between major cities given the country's large area and low population density, increasing travel on the extensive road network inside the country has brought the lives of hundreds of citizens to a sudden halt, whether through death or through tragic and permanent disability. There have been some 12,700 victims of road accidents, including 1,870 fatalities. The remaining 10,830 victims are suffering from serious injuries, handicaps and permanent

disabilities. More than 16,500 vehicles have been damaged, for an estimated cost of $850,000.

7. Orders of an estimated value of $75 million for medical supplies to meet the needs of the health and social welfare sector and for equipment and supplies for educational purposes at medical schools, for centres for the disabled and rehabilitation centres and for homes for the disabled and the elderly have all been blocked.

8. Maintenance services have broken down and essential medical equipment, for which there were orders worth an estimated $16.5 million, is in short supply in most health facilities and treatment centres.

9. Shipments of pharmaceuticals have been late in arriving, and this has been especially true of serums, vaccines and blood products imported by special order and to particular specifications. Most of these shipments have been subject to spoilage, and efficacy and usability dates have expired. This has been the case, in particular, with poliomyelitis vaccine, causing increased mortality among infants and women in childbirth in public hospitals and among other patients.

10. There is a growing shortage of spare parts for the repair and maintenance of much of the medical equipment in all hospitals and health and treatment facilities. Spare parts are difficult to obtain and technical expertise is scarce. Examples involving the important and advanced medical equipment used in hospitals include the following:

(a) The laser device at the Central General Ophthalmic Hospital is out of service. It was used for the most part in the treatment of conditions caused by diabetes and to perform delicate surgery such as retinal and corneal procedures and procedures for other eye disorders. This is an important piece of equipment, and without it most patients suffering from the conditions mentioned or from other eye diseases are liable to lose their eyesight regardless of age.

(b) The cryostat at the Tajura' Hospital for Heart Disease and Cardiac Surgery, without which it is impossible to carry out delicate surgical procedures, has broken down. As a result of the breakdown of such a vital piece of medical equipment owing to lack of maintenance and essential spare parts, most of the heart patients have died in regrettable and tragic circumstances and all hope has been lost that the other cases of a similar nature that remain among patients in the hospital's intensive care units will be able to receive treatment.

11. Therapeutic and preventive services for school health programmes have been suspended, as have the programmes and activities of mother-and-child health-care centres and centres for the mentally retarded and the deaf and dumb.

12. Transnational corporations based in various countries have maintained their refusal to supply the health and social welfare sector and its facilities with essential pharmaceuticals, with therapeutic and prophylactic equipment and supplies and with the necessary spare parts for aircraft and ambulances fitted

with special medical equipment because of considerations relating to the implementation of Security Council resolution 883 (1993).

13. Progress in the health field has been impeded as it concerns medical supplies and therapeutic and prophylactic services in the framework of international technical cooperation agreements. The country is constantly endeavouring to develop, strengthen and maintain such agreements with all the countries of the world with a view to enhancing and developing the health and social welfare sector and its facilities and achieving better standards of care and medical and therapeutic services for all citizens and others.

14. Some 7,000 medical personnel of various nationalities have been unable to come to the country to work in the health and social welfare sector and in health and pharmaceutical facilities because of the difficulties and hardships presented by the maintenance of the aerial embargo. Some 5,000 medical personnel have also submitted their resignations and terminated their contracts, causing serious disruption to the functioning of medical and therapeutic services in all health facilities.

15. More than 200 instructors and specialists in various medical fields have been unable to come to the country to treat complex cases, to perform procedures and delicate surgical interventions in public hospitals and health centres, to provide medical consultations, and to participate in conducting the examinations offered at different times during the academic year by Libyan medical schools and universities.

II. ECONOMIC CONSEQUENCES

A. The agriculture and animal husbandry sector

Between 15 April 1992 and 31 December 1994, the implementation of the sanctions under Security Council resolutions 748 (1992) and 883 (1993) has inflicted serious damage and caused major financial losses affecting all aspects of the agriculture and animal husbandry sector. Some examples of the damage and losses incurred are presented hereunder.

1. Crop production

It has not been possible to award contracts for the importation of grafted seedlings of disease-resistant strains suitable for certain types of soil, productive varieties of which are difficult to grow from seed. It has also been impossible to sustain plans for the introduction of new varieties and wild strains, of seed and of major ornamental plants used by many owners of private nurseries and also by publicly owned nurseries for the propagation of seedlings locally. This has led to material losses valued at some $6,310,000.

Farmers, and many cooperatives, have been unable to export vegetables and fruit estimated to be worth approximately $495.5 million.

It has been impossible to import equipment and production requisites for fruit farms, and it has been difficult for technical personnel to come from

abroad to work in public and private agricultural enterprises. This has caused a major drop in the output of fruit seedlings locally. Trees have been neglected, and the various related agricultural services have not been provided. Losses are estimated at 40 per cent of targeted production, for a loss in financial terms of some $12.5 million.

In apiculture, because it has been impossible to import beehives and equipment and supplies, there have been financial losses of approximately $5,111,915 and a consequent drop in honey production to the value of some $8,116,786.

The application of sanctions has caused a drop in the output of crops, particularly cereals and fodder, and the consequent material and financial losses are shown in table 1. Material and financial losses in connection with certain crops in the 1994 season are shown in table 2.

Table 1

	Output		Shortfall	
Item	Target (tons)	Actual (tons)	Amount (tons)	Value (dollars)
Wheat	363 502	130 760	181 742	40 034 104
Barley	692 294	252 448	239 846	42 702 512
Legumes	30 243	15 000	15 243	3 817 750
Fodder	789 994	576 716	213 278	56 207 256
Total	1 065 933	974 524	650 109	142 516 622

Table 2

Item	Amount (tons)	Value (dollars)
Fruit, olives and almonds	194 142	410 415 300
Vegetables and foliar crops	411 740	617 610 000
Cereals	174 200	60 776 000
Total	780 082	1 088 801 300

2. Livestock production

Examination of the losses suffered in the livestock sector shows that they are increasing and multiplying daily. They can be summarized as follows:

(a) Sheep and goats

The mortality rate for newborn lambs and kids has reached 53 per cent (some 4,764,000 head).

The mortality rate for sheep and goats has reached 35 per cent (some 2,692,000 head). It is estimated that 92,280 tons of meat have thus been lost, for a financial loss of $2,442,840,000.

(b) Cattle

The mortality rate for newborn calves has reached 30 per cent (some 18,950 head).

Mortality rates for heifers have reached 28 per cent (some 24,200 head). It is estimated that 7,544 tons of meat have thus been lost, for a financial loss of $121,320,000.

(c) Milk

Some 42 million litres of milk, worth about $23 million, have been lost.

(d) Poultry

Some 41,421 tons of poultry meat have been lost, as have some 683,590,750 eggs for consumption. The consequent financial losses are valued at about $329,967,617.

3. Forestry and rangelands

Material and financial losses in the forestry and rangelands sector can be summarized as follows:

Delay in the delivery of fire-fighting equipment and vehicles has caused serious damage that is valued at some $2,280,000.

Delay in the implementation of projects for the development and improvement of rangelands has caused serious damage, with financial losses valued at $1,050,000.

The importation of various types of agricultural equipment and supplies by air has been blocked, and they have been reaching Libya through other countries. This has entailed additional costs of some $351,000.

B. The transport and communications sector

Between 15 April 1992 and 31 December 1994, the transport and communications sector sustained serious material damage that is estimated to have cost $905,157,000. This is in addition to the grave moral damage caused by the maintenance of the aerial embargo imposed on the country in implementation of Security Council resolutions 748 (1992) and 883 (1993), which has had an adverse impact on the skills and morale of those working in the sector. The damage sustained by the sector is summarized hereunder.

1. Libyan Arab Airlines

Libyan Arab Airlines has sustained enormous financial losses valued at some $621 million, and officials have been forced to close 18 of its overseas offices and most of its home offices and to dismiss a large number of employees.

2. Socialist Airport Company

The Socialist Airport Company has sustained financial losses of some $56,875,000. Those responsible have been forced to dissolve the company and suspend all operations in the absence of any financial return owing to the suspension of air traffic to and from the country.

3. Light Air Transport Company

The Light Air Transport Company has lost financial revenues estimated at $17,337,000 because it has been unable to obtain the spare parts necessary to operate its aircraft and thus keep its aircrews qualified and implement its plans for the future in accordance with customary international operating standards.

4. Libyan Arab Air Freight Company

The Libyan Arab Air Freight Company has sustained financial losses of some $163 million as a result of the suspension of its overseas and domestic operations because it has been unable to obtain the spare parts necessary to maintain its aircraft and thus keep its aircrews qualified and implement its plans for the future in accordance with customary international operating standards. It also has the burden of the additional costs represented by wages, salaries and other expenditures relating to its employees, for no financial return.

5. General Board for Civil Aviation and Meteorology

The General Board for Civil Aviation and Meteorology has sustained financial losses estimated at $34 million that can be ascribed to the following:

(a) Payment of salaries, wages and other costs relating to its employees, for no financial return;

(b) Loss of the annual revenues previously accruing from the transit of foreign aircraft through the country's airspace;

(c) Loss of the annual revenues previously derived from the provision of ground services, air and navigational services and other essential facilities owing to the suspension of international air traffic to and from the country's airports. There have also been other, unanticipated, major financial losses linked with the provision of essential services and facilities in the air transport field in general. These are difficult to enumerate or characterize, and it is therefore difficult to assign them a material or financial value.

6. Surface and maritime transport and postal communications

The losses sustained by the surface and maritime transport and postal communications sector are estimated at $108,070,000, as follows:

(a) National General Maritime Transport Company

The National General Maritime Transport Company has sustained financial losses of some $38,570,000 owing, for example, to accelerated rates of depreciation of ships and increased expenditures on maintenance, equipment, services and spare parts. The Company has also been encountering difficulties, obstacles and delays in securing the issue of bank letters of credit for insurance institutions and international protection associations.

(b) Socialist Ports Corporation

The financial losses of the Socialist Ports Corporation have amounted to some $2 million, representing its past revenues from services and handling. It has also been unable to obtain the spare parts needed for operating and maintenance equipment.

(c) General Postal and Telecommunications Corporation

Financial losses in this sector have amounted to some $39 million owing, for example, to increased expenditures on the designation of intermediary exchange offices for the forwarding and receipt of mail to and from the country. Postal administrations in foreign countries have also been holding frozen assets belonging to the Corporation.

(d) The highway network

The increased use of public and private passenger and freight vehicles of all kinds on the roads has caused mounting and increasingly serious damage to the public highway network and its ramifications inside the country. There has been a corresponding increase in the financial resources required for the maintenance of the public highway network to a level of some $7.5 million. Large amounts of money have also been required to meet increased costs for the general maintenance of transport combines and for mounting consumption of petroleum and petroleum derivatives.

The implementation of Security Council resolution 883 (1993) has given rise to many new problems for the transport and communications sector, such as the freezing of the financial assets of the companies and public corporations in the sector and the difficulties encountered in securing the issue of the bank

letters of credit required for the execution of sectoral projects. The sector also encounters other difficulties relating to insurance procedures and the additional expenditures for the overseas transfers made by companies and public corporations belonging to it.

C. The industrial and mining sector

Since the coercive measures in implementation of Security Council resolutions 748 (1992) and 883 (1993) were first imposed the industrial and mining sector has suffered financial losses of some $2.5 billion. These losses can largely be ascribed to the following:

(a) A sharp reduction of some 40 per cent in operating levels in the sector and in the companies and corporations belonging to it;

(b) The large number of intermediaries involved in the processing of orders for the importation of production and operating requirements in both public and private sectors;

(c) A drop in the level of implementation of the operating budget (i.e. the foreign currency budget) of 15 per cent in 1993/94 in comparison with the previous year, because of the difficulties encountered in the procedures for the backing of credits that have been required of Libyan banks and financial institutions by foreign banks;

(d) A fall in the purchasing power of the operating budget because of the difficulty of obtaining letters of credit and their delayed issue and owing to the need to use foreign banks as intermediaries.

The direct material damage sustained by the companies and corporations of the industrial and mining sector, in so far as it can presently be ascertained, has been in the order of $2.5 billion. This has been due, inter alia, to the following:

(a) The suspension and delay of procurement, operation and maintenance programmes because of difficulties in obtaining bank credits and maintaining contact with the relevant foreign companies and institutions;

(b) The suspension of production during 1994 at some plants belonging to companies in the sector because of a lack of raw materials, operating and maintenance requisites, spare parts and other basic items;

(c) A lag in export programmes for planned industrial output;

(d) A rise in prices of raw materials and a consequent rise in production costs and in the prices of all types of locally manufactured goods.

The arbitrary implementation of Security Council resolutions 748 (1992) and 883 (1993) has impeded cooperation with international organizations and has thus also contributed to preventing the industrial and mining sector from making use

of the expertise and services made available by many such organizations. This has caused delay in the implementation of many vital industrial and services-related projects largely based on cooperation with these organizations. Such problems include:

(a) The freezing of resources deposited with these organizations by Libyan institutions in the form of trust funds (those deposited by the General People's Committee for Education and Scientific Research with the United Nations Educational, Scientific and Cultural Organization, by the General People's Committee for Industry and Mining with the United Nations Industrial Development Organization, and by the Social Security Fund with the International Labour Organization), in accordance with the interpretation placed by the Security Council Committee established pursuant to resolution 748 (1992) on the range of applicability of Security Council resolution 883 (1993);

(b) The refusal of the relevant Security Council Committee tc permit the implementation of a number of extremely important projects, such as the establishment of a scientific laboratory by the Agricultural Research Centre of the agriculture and livestock sector, in cooperation with the International Atomic Energy Agency, to gauge the impact of pesticides and fertilizers on human, animal and plant health;

(c) The refusal of the Security Council Committee to permit the shipment of furnaces, for which contracts had been concluded with Malaysia, by way of Singapore to be used in the petroleum sector, on the grounds that they could be used for other purposes;

(d) The refusal of the Security Council Committee to permit the return from Malta of an aircraft belonging to the country's Survey Department that was used for the purposes of development projects and for research.

High prices for raw materials on the local market have raised production costs and caused major losses to many companies in the industrial sector owing to the fact that they are bound by a fixed pricing system that does not allow for such increased production costs.

D. Finance and trade

Like other vital sectors, the finance and trade sector has been affected in all its aspects. The financial losses that have thus far become evident and can be ascertained are in the order of $1,832 million and are due, for example, to the following:

(a) The impact on GNP of production in industry, agriculture, fisheries and of financial and banking transactions;

(b) A falloff in imports and exports accompanied by high purchase and transportation costs;

(c) A reduction in export revenues owing to low output in industry, agriculture and fisheries and the difficulties encountered in exporting by air freight because of the maintenance of the aerial embargo;

(d) The freezing of Libyan assets overseas, causing the loss of access to banking facilities, delay in securing credits and in financial transactions and the non-arrival of financial instruments at the stipulated time;

(e) A marked rise in prices on local markets, those of some goods having risen by more than 200 per cent and of others by 70 to 150 per cent, which has affected Libyans by exhausting their savings, particularly in the case of low-income groups, and has had an adverse impact on the real incomes of expatriates of all nationalities;

(f) The loss by Libyan-Arab and foreign businessmen of many commercial opportunities and the financial losses sustained by them owing to their being required to travel overland or by sea and by way of a third or fourth country and the consequent delays in reaching their destinations on schedule.

The scale of the financial losses sustained by the finance and trade sector can be stated as follows:

(a) There have been financial losses of some $375 million owing to the non-implementation of bank credits in, for example, the importation of ready-made clothing and shoes, baby food, electric and other domestic appliances, spare parts, home and office furniture, and other essential goods imported from abroad to meet the consumption needs of the local market;

(b) Financial losses arising out of the shortfall in the output of industry, agriculture and fisheries have been in the order of $1,075 million, and their consequences are gradually beginning to affect the Libyan market;

(c) Financial losses owing to the drop in the volume of exports and imports of agricultural and fishery products to and from the country have been in the order of $178 million;

(d) The freezing of Libyan assets abroad and the lack of access to banking facilities for the opening of credits and for transfers to meet the exportation and importation needs of the public and private sectors have resulted in financial losses of some $107 million;

(e) There have been financial losses valued at some $97 million arising out of additional travel costs for Libyan businessmen in the public and private sectors who have been obliged to adjust their travel arrangements to the routes flown by foreign carriers from airports in neighbouring countries and to travel onwards by additional routings to their countries of destination in order to carry on their businesses and meet their contractual and other obligations.

E. Approximate total financial losses arising out of the grave damage caused by the implementation of Security Council resolutions 748 (1992) and 883 (1993) between 15 April 1992 and 31 December 1994

	Sector	Financial losses (dollars)
1.	Health and social welfare	92 350 000
2.	Agriculture and fisheries	4 679 710 240
3.	Transport and communications	905 157 000
4.	Industry and mining	2 500 000 000
5.	Finance and trade	1 832 000 000
	Total	10 009 217 240

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GENERAL AND COMPLETE DISARMAMENT
CONVENTION ON THE PROHIBITION OF THE DEVELOPMENT, PRODUCTION AND STOCKPILING OF BACTERIOLOGICAL (BIOLOGICAL) AND TOXIN WEAPONS AND ON THEIR DESTRUCTION
COMPREHENSIVE REVIEW OF THE WHOLE QUESTION OF PEACE-KEEPING OPERATIONS IN ALL THEIR ASPECTS
SUSTAINABLE DEVELOPMENT AND INTERNATIONAL ECONOMIC COOPERATION: TRADE AND DEVELOPMENT; INTERNATIONAL COOPERATION FOR THE ERADICATION OF POVERTY IN DEVELOPING COUNTRIES
SOCIAL DEVELOPMENT, INCLUDING QUESTIONS RELATING TO THE WORLD SOCIAL SITUATION AND TO YOUTH, AGEING, DISABLED PERSONS AND THE FAMILY
ADVANCEMENT OF WOMEN
INTERNATIONAL DRUG CONTROL
PROMOTION AND PROTECTION OF THE RIGHTS OF CHILDREN
HUMAN RIGHTS QUESTIONS
MEASURES TO ELIMINATE INTERNATIONAL TERRORISM

SECURITY COUNCIL
Fiftieth year

* A/50/50/Rev.1.

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Letter dated 8 June 1995 from the Permanent Representative of India to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of the Delhi Declaration issued at the eighth meeting of the Heads of State or Government of the member countries of the South Asian Association for Regional Cooperation (SAARC), held at New Delhi from 2 to 4 May 1995 (see annex).

I should be grateful if the text of the present letter and its annex is circulated as an official document of the fiftieth session of the General Assembly, under items 70, 80, 86, 97 (a) and (i), 107, 109, 110, 112, 114 and 149 of the preliminary list, and of the Security Council.

(Signed) Prakash SHAH

ANNEX

Delhi Declaration, issued at the eighth meeting of the Heads of State or Government of the member countries of the South Asian Association for Regional Cooperation, held at New Delhi from 2 to 4 May 1995

Introduction

1. The Prime Minister of the People's Republic of Bangladesh, Her Excellency Begum Khaleda Zia, the King of Bhutan, His Majesty Jigme Singye Wangchuck, the Prime Minister of the Republic of India, His Excellency Mr. P. V. Narasimha Rao, the President of the Republic of Maldives, His Excellency Mr. Maumoon Abdul Gayoom, the Prime Minister of Nepal, the Rt. Hon. Manmohan Adhikari, the President of the Islamic Republic of Pakistan, His Excellency Mr. Farooq Ahmad Khan Leghari and the President of the Democratic Socialist Republic of Sri Lanka, Her Excellency Mrs. Chandrika Bandaranaike Kumaratunga, met at the Eight Summit of the South Asian Association for Regional Cooperation (SAARC) at New Delhi, India, on 2-4 May 1995.

SAARC decade

2. The Heads of State or Government expressed their satisfaction on the achievements of the first decade of SAARC and resolved to celebrate its completion of the first decade both in the individual member States and collectively. They endorsed the proposal of the Council of Ministers to convene a commemorative session of the Council on the theme: "SAARC - Vision of the second decade" to identify the areas on which SAARC should focus in its second decade.

Regional cooperation

3. The Heads of State or Government reaffirmed their resolve to intensify regional cooperation in order to accelerate the process of promoting the welfare and improving the quality of life of the peoples of South Asia. They reiterated their commitment to the principles and objectives enshrined in the SAARC charter, particularly, to the principles of sovereign equality, territorial integrity, national independence, non-use of force and non-interference in each other's internal affairs. They recalled their conviction that in an increasingly interdependent world, regional cooperation was a dynamic instrument for promoting economic prosperity, mutual understanding and good neighbourly relations to achieve the objectives of peace and stability in South Asia. In that context, a climate of peace and stability would contribute to the economic growth.

Eradication of poverty in South Asia

4. The Heads of State or Government reaffirmed their commitment to the eradication of poverty in South Asia, preferably by the year 2002 A.D. through an agenda of action.

5. The leaders endorsed the recommendations of the Finance/Planning Ministers' Meeting held at Dhaka in July 1994, which recommended that a mechanism should be set up that would act as a forum for the exchange of information on poverty eradication programmes, in the context of the policies and strategies adopted, particularly exchange of information on technologies that were relevant to efforts at poverty eradication. They agreed that the process could be strengthened by sharing and exchanging relevant studies carried out by independent research institutions and experts. The mechanism would be in the form of a three-tier institutional structure as recommended in the report and would meet once a year. They noted that such a mechanism had been set up enabling the procedures of exchange of information to commence and welcomed the offer of India to host the first round of the three-tier mechanism.

6. The Heads of State or Government directed that the next meeting of Finance/ Planning Ministers consider the efficacy of such mechanism towards eradicating poverty in the region and report on the progress achieved to the ninth SAARC summit, through the Council of Ministers.

7. In that context, they decided to declare 1995 as the "SAARC Year of Poverty Eradication".

8. Acknowledging that the abiding human qualities of dignity, creativity and productive potential were eroded by chronic poverty, the Heads of State or Government reiterated their commitment to empowering the poor for enhanced growth consistent with human development and equity.

9. Recognizing that poverty was a complex multi-dimensional problem with origins in both national and international domains, country-specific programmes to tackle poverty and international efforts supporting national efforts and the parallel process of creating a supportive international environment conducive to economic growth and social development of developing countries, were crucial for a solution to the problem. The World Summit for Social Development recognized the need for focusing the attention of the international community on and supporting the special needs of countries and regions in which there were substantial concentrations of people living in poverty, in particular those in South Asia and which faced serious difficulties in achieving social and economic development. The Heads of State or Government reiterated their commitment to eradicate poverty and noted with appreciation the outcome of the World Summit for Social Development

10. The Heads of State or Government committed themselves to addressing the fundamental causes of poverty and to provide for the basic needs of all. They reaffirmed their commitment to work for guaranteeing the realization of the rights of all, in particular those of the poor, to food, work, shelter, health, education, resources and information.

11. The Heads of State or Government reaffirmed their commitment to provide expanded opportunities to the poor to enhance their overall capacities and improving living conditions and to adequate economic and social protection during unemployment, disability and old age. While recognizing the need to improve, expand and deregulate markets to promote sustained economic growth, they felt it was essential to mitigate any negative features created by the

market forces and make all efforts to make the market friendly to the poor. The Heads of State or Government reaffirmed the necessity to ensure that financial systems and other public policies are geared towards poverty eradication and warned against increase in socially divisive disparities.

12. The Heads of State or Government agreed that the Governments of SAARC countries would have to play a lead role in promoting the support structures needed for poverty eradication, including people's institutions and non-governmental organizations in the context of organizing the people and fostering decentralization and local self-governance and encouraging organization of the poor, in the context of their social and economic interests.

SAARC Preferential Trading Arrangement (SAPTA)

13. The Heads of State or Government noted with satisfaction that subsequent to the signing of the Framework Agreement on the SAARC Preferential Trading Arrangement (SAPTA) during their seventh summit at Dhaka in April 1993, the first round of trade negotiations to exchange trade concessions among member States have been completed. They directed that all necessary steps should be taken to facilitate ratification by all member States and operationalize SAPTA by the end of 1995 as mandated.

14. The leaders reiterated their firm belief that the operationalization of SAPTA would herald the beginning of a new and significant process of regional cooperation and would lend strength to SAARC as an institution for promoting the welfare of the peoples of South Asia.

15. In view of the fast-changing international economic environment, creation of major trading and economic groupings, establishment of the World Trade Organization (WTO) subsequent to the successful conclusion of the Uruguay Round of multilateral trade negotiations and unilateral economic liberalization measures being adopted by member countries, the Heads of State or Government emphasized the urgency of broadening and deepening cooperation within a specific and rapid time-frame in the core areas of trade and economic relations in the region. Those developments called for added urgency to achieve more progress towards operationalization of SAPTA and intensification of cooperation to expand regional trade. To that end, they decided that the "components" and "additional measures" identified in articles 4 and 6 respectively of the SAPTA Agreement should be implemented.

Integrated Programme of Action

16. The Heads of State or Government noted the progress made through the Integrated Programme of Action covering a number of crucial areas and activities.

Regional centres

17. The leaders welcomed the establishment of the SAARC Documentation Centre (SDC) at New Delhi in May 1994 and the SAARC Meteorological Research Centre (SMRC) at Dhaka in January 1995.

Women in development

18. Noting that increased political and social consciousness in the region had highlighted the issues of elimination of gender-disparity and empowerment of women, which were essential for their socio-economic development, the Heads of State or Government underlined the urgency of addressing those issues through further affirmative action.

19. The leaders endorsed the "Kathmandu resolution on women and family health", adopted by the Ministerial Conference on Women and Family Health at Kathmandu in November 1993, and expressed satisfaction that appropriate programmes were being undertaken to implement the resolution at the national level by the member States.

20. The leaders noted the progress in the implementation of the plan of action to mark 1991-2000 as the SAARC Decade of the Girl-Child, and requested the Council of Ministers to conduct a comprehensive mid-decade review for presentation to the ninth SAARC summit.

21. Recognizing the serious threat faced by certain groups of girl children in especially difficult circumstances including those orphaned, disabled and exploited, the leaders decided that an urgent appraisal of the situation of those children be undertaken by the Council of Minister and specific recommendations be presented to the ninth SAARC summit.

22. Considering that the exploitation of the girl child was a direct reflection of the status of women in society, the leaders reaffirmed their resolve to take necessary measures to eliminate all forms of discrimination against women and girl children.

Children

23. The Heads of State or Government expressed satisfaction that the annual reviews of the situation of children in SAARC countries for the years 1993 and 1994 had been completed, which indicated a reduction in infant mortality and significant progress in the immunization programme for children in the region.

24. Recalling the mid-decade goals of the World Summit for Children, the Heads of State or Government resolved to intensify their efforts both at the national and regional levels for attainment of those goals.

25. The leaders welcomed that all member States had become party to the Convention on the Rights of the Child. They felt that the recently held Cairo International Conference on Population and Development in September 1994 and the Copenhagen World Summit on Social Development in March 1995 had imparted fresh impetus to the ongoing efforts for the survival, protection and development of children in South Asia.

Youth

26. The Heads of State or Government endorsed the Malé resolution on youth adopted by the Ministerial Conference on Youth in South Asia held in the

Maldives in May 1994 and noted that the Conference had, inter alia, served to focus attention on the status of the youth and the challenges faced by them. The leaders noted with satisfaction that the agenda for action incorporated in the resolution was being implemented by member States with a view to integrating the youth into the process of national development. They noted with satisfaction that the SAARC youth resolution had been adopted and the SAARC youth awards scheme had been established.

27. The leaders expressed satisfaction on the implementation of the plan of action to mark 1994 as the SAARC Year of the Youth in member States and resolved to continue the momentum generated in member States.

Persons with disability

28. The Heads of State or Government noted with satisfaction that the Ministerial Conference on Disabled Persons was held at Islamabad in December 1993. They endorsed the Islamabad resolution on disabled persons and the recommendations of the Conference and noted that the Conference had further increased awareness among the peoples of South Asia regarding the needs and problems of the disabled persons. They welcomed the activities and programmes launched by the member States in pursuance of the resolution for the protection and promotion of persons with disability.

Shelter

29. The Heads of State or Government, recognizing that housing was a basic right for all people and that, in addition to governmental efforts, private initiatives of the people and non-governmental agencies should be supported, reaffirmed their commitment to work towards the global objective of "Shelter for All by the Year 2000".

Literacy

30. The Heads of State or Government noted that illiteracy was one of the major causes of poverty, backwardness and social injustices and called upon the member States to initiate more concrete programmes aimed at eradicating illiteracy in the region, preferably by the year 2000 A.D. They decided to observe 1996 as the "SAARC Year of Literacy".

Environment

31. Reaffirming the need for a concerted action for the protection and preservation of the environment, the Heads of State or Government expressed their satisfaction over the formulation of a common position by member States prior to the World Conference on Natural Disaster Reduction and the presentation of the collective position at the Yokohama Conference. They recognized that international cooperation was vital for building up national capabilities, transfer of appropriate technology and promotion of multilateral projects and research efforts in natural disaster reduction.

32. The Heads of State or Government expressed their deep concern at the unabated degradation of the environment and recurrence of devastating natural

disasters. They also underscored the risks and dangers involved in overlooking the challenge posed by those problems. They expressed their commitment to implementing at all levels - national, bilateral, regional and global - programmes for the protection and preservation of the environment and prevention of its degradation. The Heads of State or Government stressed the importance of continuing the ongoing SAARC activities in the field of environment.

33. The Heads of State or Government noted that although some work had been carried out in the area of disseminating information on the problems of environmental degradation and their impact on the region, progress in the implementation of the recommendations of the SAARC regional study on the causes and consequences of natural disasters and the protection and preservation of the environment and the regional study on greenhouse effect and its impact on the region, which were completed in 1992, had been slow. They stressed the importance of effective and speedy implementation of the recommendations of the two studies and requested member States to take all necessary steps without further delay in vital areas such as sharing and developing scientific capabilities to protect and manage the environment. They further directed the Technical Committee on Environment to monitor the progress made in the implementation of the recommendations of the two studies, and submit a report to the ninth summit through the Council of Ministers.

34. The Heads of State or Government recalled the decisions expressed in the Dhaka Declaration of April 1993 on the outcome of the United Nations Conference on Environment and Development of June 1992 and reiterated the urgent need to ensure the flow of new and additional resources that were adequate and predictable to implement successfully the programmes of Agenda 21. They also recalled the United Nations minimum target for developed countries of 0.7 per cent of gross national product as official development assistance, a target which was yet to be approximated by most developed countries. The Heads of State or Government also noted that international actions in the area of environmental protection should be based on partnership and collective endeavours and should reflect the principle enunciated in the United Nations Conference on Environment and Development, of common but differentiated responsibilities. Integral to such actions was the promotion of economic growth in developing countries that was both sustained and sustainable and direct action in eradicating poverty.

35. The Heads of State or Government also noted that the Commission on Sustainable Development set up to monitor the implementation of the Rio agreements had met thrice since their earlier meeting and expressed the hope that the Commission would be able to facilitate the necessary flow of resources and technology.

36. The Heads of State or Government also noted that the Convention on Biological Diversity and the United Nations Framework Convention on Climate Change had both come into force and the first meetings of the conferences of parties to each Convention had been held. Welcoming those developments, they urged that developing countries should be assisted in meeting their commitments under the Conventions. The establishment of the restructured Global Environment Facility was a beginning in that direction. However, the Heads of State or

Government urged that funds of a much larger order would be necessary if the needs of the Conventions were to be met.

Terrorism

37. The Heads of State or Government expressed serious concern on the spread of terrorism in and outside the region and reiterated their unequivocal condemnation of all acts, methods and practices of terrorism as criminal. They deplored all such acts for their ruinous impact on life, property, socio-economic development and political stability, as well as on regional and international peace and cooperation.

38. The Heads of State or Government once again emphasized that highest priority should be accorded to the enactment of enabling legislation at the national level to give effect to the SAARC Regional Convention on Suppression of Terrorism. They urged member States that had not yet done so to enact expeditiously enabling legislation at the national level to implement the Convention and reiterated the need for a constant dialogue and interaction among the concerned agencies of member States, including submission of periodic recommendations to the Council of Ministers.

39. They underlined that cooperation among SAARC member States was vital if the scourge of terrorism was to be eliminated from the region.

Drug trafficking

40. The Heads of State or Government recognized that drug abuse and drug trafficking with its linkages with organized crime, illicit arms trade and terrorism continued to pose a serious threat to the security and stability in the region.

41. While noting the efforts made by Member States as well as the regional cooperation under way to combat that pernicious trade, the leaders stressed the urgency of further strengthening the process of cooperation.

42. The leaders welcomed the ratification of the SAARC Convention on Narcotic Drugs and Psychotropic Substances by all member States and entry into force of the Convention in September 1993. They urged all member States to take necessary follow-up action for effective implementation of the Convention.

Science and technology

43. The Heads of State or Government reiterated that cooperation in the area of science and technology should be accorded high priority. Noting that some progress had been made towards establishment of networking arrangements, inter alia, in the fields of biotechnology, genetic engineering, energy modelling techniques and low-cost housing and building technologies, the leaders called for further acceleration of that process.

People-to-people contact

44. Reiterating their earlier resolve to promote further people-to-people contact through increased involvement of the peoples of South Asia in the process of regional cooperation, the Heads of State or Government noted with satisfaction that such interaction had been taking place through various fora both within and outside the SAARC framework and had contributed to the promotion of mutual understanding in the region.

45. The leaders noted that the Association for Persons of the Legal Communities of SAARC Countries (SAARCLAW) had been accorded recognition by SAARC. The leaders hoped that SAARCLAW would play an effective role in fostering closer cooperation among the legal communities in the region.

46. The leaders noted with satisfaction that the SAARC Chamber of Commerce and Industry (SCCI) had been functioning satisfactorily. They expressed hope that SCCI and its constituent units in the member States would do their utmost to promote trade and economic cooperation in the SAARC region. The leaders commended SCCI for disseminating information on the scope, content and potentials of the SAARC Preferential Trading Arrangement (SAPTA) among the business community in the region.

47. The Heads of State or Government expressed satisfaction that the SAARC Visa Exemption Scheme was being implemented smoothly and had enhanced the scope of people-to-people contacts.

South Asian Development Fund (SADF)

48. The Heads of State or Government endorsed the establishment of a three-window South Asian Development Fund (SADF) with the merger of SAARC Fund for Regional Projects and the SAARC Regional Fund and a third window for social development and infrastructure development.

Projection of collective positions

49. The Heads of State or Government recalled their decision taken at the seventh SAARC summit regarding development of collective positions in international forums on such issues as would enhance the international profile of South Asia and would enable the member States to articulate their position on them more effectively. They noted that the Council of Ministers had formulated a procedure for the projection of SAARC collective positions at such international forums.

50. They noted with satisfaction that pursuant to the decision at the seventh SAARC summit, collective positions had been formulated by member States and presented at the World Conference on Natural Disaster Reduction and the World Summit for Social Development. The leaders also noted with satisfaction that a SAARC collective position would also be presented at the Fourth World Conference on Women at Beijing in September 1995.

Security of small States

51. The Heads of State or Government, reaffirming their commitment to universally accepted principles and norms relating to the sovereign rights and territorial integrity of all States, recognized that small States, because of their particular problems, required special measures of support for safeguarding their independence and territorial integrity. They reiterated that real protection of small and weaker States should be firmly rooted in the rule of law. This, they stressed, should be ensured by all countries either severally or collectively through the pursuit of appropriate actions.

International political developments

52. The Heads of State or Government noted that the end of the cold war had resulted in fundamental changes in the political landscape. It was therefore important that a new idiom be found to address new concerns. The disappearance of the confrontation between the two Power blocs presented an opportunity towards building a genuine consensus for a new international order.

53. The Heads of State or Government had wide-ranging discussions on the current global political trends and future prospects, particularly those issues that concerned South Asia. In that context, they reiterated their deep commitment to the purposes and principles of the Charter of the United Nations and reaffirmed their resolve to strengthen the United Nations as the central instrument for peace, security, disarmament, development and cooperation among the nations of the world. While pledging their support to all constructive initiatives aimed at strengthening the United Nations, the leaders emphasized that such initiatives must be undertaken with the sole objective of rendering the United Nations and all its organs more democratic, efficient and effective and not to limit the focus of its attention to a narrow and isolated range of objectives.

54. Appreciating the role of some SAARC member States in United Nations peace-keeping operations in various parts of the world, the Heads of State or Government felt that such participation had contributed towards maintenance of peace and security in the world.

55. The Heads of State or Government reiterated their firm commitment to the principles and objectives of the Movement of Non-Aligned Countries and underlined the continued validity and relevance of these principles and objectives in the contemporary world. They recalled the stabilizing role played by the Movement in global affairs since its inception. They expressed their deep conviction that the Movement's innate strength equipped it to continue to play a most constructive role in laying the foundations of a new world order based on the rule of law, non-discrimination, equity and cooperation.

56. The Heads of State or Government noted that while the international community had successfully created the norm against chemical and biological weapons, it had, unfortunately, been unable to do the same with regard to nuclear weapons. The leaders were convinced that more needed to be done and at a far greater pace. Reiterating that the utmost priority was to be given to nuclear disarmament, given the danger posed by nuclear weapons, they urged the

Conference on Disarmament to negotiate an international convention prohibiting the use or threat of use of nuclear weapons under any circumstances and to undertake negotiations for the complete elimination of all nuclear weapons within a time-bound framework.

57. The Heads of State or Government expressed their strong commitment to the promotion and protection of human rights. They agreed to take all necessary steps to achieve that objective.

International economic and social issues

58. The Heads of State or Government welcomed the successful conclusion of the Uruguay Round of multilateral trade negotiations and reaffirmed their commitment to implement fully and as scheduled the Final Act of the Uruguay Round of multilateral trade negotiations. They also welcomed the coming into existence of the WTO and expressed the hope that it would help to expand international trade, particularly that of the developing countries. They reaffirmed the immediate need to elaborate policies to enable developing countries to take advantage of expanded international trading opportunities, in the context of the full implementation of the Round. They called upon all countries to refrain from any unilateral measure not in accordance with international law, the Charter of the United Nations and enlightened regionalism and globalism that created obstacles to trade relations among States and thereby impeded the full realization of social and economic development.

59. Recognizing that the promotion of mutually reinforcing broad-based sustained economic growth on a global scale, as well as a non-discriminatory and multilateral rule-based international trading system, provided a basis for social development, the Heads of State or Government called for the establishment of an open, equitable, cooperative and mutually beneficial international economic environment. They also called for a reduction of trade barriers and promotion of expanded access to global markets.

60. The Heads of State or Government reaffirmed their commitment to safeguard the basic interests of workers. They called upon countries to refrain from erecting trade barriers in the guise of promotion and protection of workers' rights. They deplored the tendency to impose any conditionalities on international trade, whetner as a "social clause" or as the "environmental clause", while reiterating their commitment to ensuring workers' rights as well as protection of the environment.

Special measures for the least developed and land-locked countries

61. The Heads of State or Government noted with deep concern that economic growth in the least developed countries and land-locked countries was not satisfactory and emphasized the need to take special measures for accelerating the process of development. They reiterated the need to fulfil the internationally agreed aid targets for the developing countries and the least developed countries. They emphasized on the need for exceptional finance to facilitate implementation of economic reform programmes in SAARC countries.

Dates and venue of the ninth meeting of the SAARC Heads of State or Government

62. The Heads of State or Government gratefully accepted the offer of the Government of Maldives to host the ninth SAARC summit. The dates would be finalized in consultation with member States.

63. The Heads of State or Government of Bangladesh, Bhutan, Maldives, Nepal, Pakistan and Sri Lanka expressed their deep appreciation for the exemplary manner in which the Prime Minister of India had discharged his responsibilities as Chairman of the meeting. They expressed their profound gratitude for the warm and gracious hospitality extended to them by the Government and the people of the Republic of India and for the excellent arrangements made for the meeting.

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GENERAL ASSEMBLY
Fiftieth session
Items 39, 75 and 81 of
the preliminary list*
LAW OF THE SEA
STRENGTHENING OF SECURITY
AND COOPERATION IN THE
MEDITERRANEAN REGION
MAINTENANCE OF INTERNATIONAL
SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 9 June 1995 from the Permanent Representative of Greece to the United Nations addressed to the Secretary-General

Upon instructions of my Government and referring to the resolution adopted yesterday, 8 June 1995, by the Turkish National Assembly through which it transfers to the Turkish Government its competences, including those that will be deemed necessary, from a military point of view, for the maintenance and the defence of the vital interests of Turkey if Greece implements the Convention on the Law of the Sea, which the Greek Parliament ratified last week, I would like to bring the following to your attention.

It is beyond any doubt that the above-mentioned resolution constitutes a direct violation of article 2, paragraph 4, of the Charter of the United Nations, which stipulates that "all Members shall refrain in their international relations from the threat or use of force against the territorial integrity or political independence of any State", as well as of many similar provisions of international treaties and conventions. What Turkey is in fact attempting to do is to intimidate Greece into forfeiting a right acknowledged to all signatory parties, by article 3 of the 1982 Convention on the Law of the Sea, and already exercised by a large number of States.

* A/50/50/Rev.1.

It is not the first time that Turkey flagrantly violates international law. It should be noted however that this time the contempt of international lawderives from the legislative body of a country which, having already been charged with past and recent violations of international law, is seeking closer political and economic cooperation with the democratic countries of the European Union.

The Greek Government attaches a particular importance to the Turkish threat, all the more so since the latter emanates from a neighbouring and allied country and is not, obviously, intended to prevent the commitment of an illegal act, but, on the contrary, to prevent the implementation of rules and rights deriving from international law.

The argument contained in the said resolution, namely that the legal status of the Aegean Sea has been defined by the Treaty of Lausanne of 1923 and that an eventual decision of the Greek side to extend its national territorial waters to 12 miles would reverse this status, is totally unfounded, since the rights of the coastal countries are defined by the international law of the sea, both conventional and customary.

Moreover, the Turkish allegation regarding the obstruction of the freedom of navigation in the Aegean Sea is also unfounded, since Greece has always made clear that it does not intend to deprive ships of other nations of their right of innocent passage, in conformity with international law.

In the same context, it should be noted that Turkey, contrary to the provisions of the Montreaux Convention of 1936 on the Status of the Straits, has recently adopted domestic legislation, imposing serious restrictions on the freedom of navigation through the straits.

The fact that the Turkish National Assembly has decided to transfer to the Turkish Government its above-mentioned competences confirms very clearly the well-known Turkish claims against the Greek islands of the Aegean and the sovereign rights of Greece regarding its national territorial waters and airspace.

It should be underlined that the said resolution of the Turkish National Assembly is only one of a series of recent Turkish provocative acts that lead to the conclusion that Turkey is seeking the deterioration of Greek-Turkish relations, thus creating dangerous implications for peace and stability in the region.

In the light of the above, a comparison of the difference in mentality between the two countries is inevitable, since Turkey's target seems to be the deterioration of the political climate in the Balkans, while Greece is undertaking serious and difficult initiatives in an effort to restore peace in the same area.

In concluding, I would like to reiterate the official position of the Greek Government that Greece intends to exercise its right to extend its territorial waters up to 12 miles, in accordance with international law, when this is considered appropriate.

I would like to request that this letter be circulated as a document of the General Assembly under items 39, 75 and 81 of the preliminary list, and of the Security Council.

(Signed) Christos G. ZACHARAKIS
Permanent Representative

UNITED
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General Assembly
Security Council

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S/1995/477
13 June 1995
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GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Identical letters dated 12 June 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Morocco to the United Nations addressed to the Secretary-General and to the President of the Security Council

I have the honour to transmit to you herewith the Declaration adopted on 9 June 1995 by the Working Group on Bosnia and Herzegovina of the Organization of the Islamic Conference (OIC), and to request that it be issued as an official document of the forty-ninth session of the United Nations General Assembly, under agenda item 39, and of the Security Council.

(Signed) El Hassane ZAHID
Chargé d'affaires a.i.
Permanent Mission of Morocco
to the United Nations

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Annex

[Original: English]

Statement by the Working Group on Bosnia and Herzegovina of the Organization of the Islamic Conference dated 9 June 1995

The Organization of the Islamic Conference (OIC) Working Group on Bosnia and Herzegovina, composed of the OIC Contact Group on the Republic of Bosnia and Herzegovina and the United Nations Protection Force (UNPROFOR) troop contributors, has carefully examined the report of the Secretary-General concerning the future role of UNPROFOR in document S/1995/444. The report has been a useful instrument in contributing to the dialogue on UNPROFOR's future in the Republic of Bosnia and Herzegovina, and has assisted the Working Group in making the following observations.

The current situation in the Republic of Bosnia and Herzegovina, both for its civilian population and the UNPROFOR mission, has indeed become intolerable. The intensified shelling by the Pale Serbs of the safe areas, as grotesquely manifested in the terrorist attack against Tuzla, killing 71 teenagers and other young people; the continuing obstruction by the Pale Serbs of humanitarian outlets, whether they be land routes or the Sarajevo airport; the continued perpetration of ethnic cleansing in the Banja Luka region and elsewhere by the Pale Serbs; the deployment of surface-to-air missiles by the Pale Serbs throughout the Republic of Bosnia and Herzegovina; and the recently resurrected practice of the Pale Serbs in taking United Nations personnel as hostages and detainees, as well as an increase in their targeting of United Nations personnel have brought to the forefront the necessity of reviewing the means by which UNPROFOR can best serve the people of Bosnia and Herzegovina and at minimal risk to itself.

The Working Group has taken note of the Secretary-General's four options on UNPROFOR's future and, in that context, concurs with the Secretary-General's statement contained in paragraph 80 of the report that the United Nations "must not lose sight of three interconnected objectives, which represent the very essence of the United Nations: the quest for peace, the protection of human life and the rejection of a culture of death" as well as the preservation of the territorial integrity and political unity of the Republic of Bosnia and Herzegovina. The Working Group firmly believes that it was with these objectives in mind that the Security Council initially deployed UNPROFOR in the Republic of Bosnia and Herzegovina and developed the current mandate under which UNPROFOR operates.

In the context of the above objectives, it is the view of the Working Group that the current mandate is unambiguous and UNPROFOR should be provided with the required means for the full implementation of the mandate. As for the question on whether UNPROFOR is a peace-keeping or peace-enforcement operation, the Working Group sees it as obvious that there is no peace either to keep or for that matter to enforce, as the Pale Serbs have yet to accept the five-nation Contact Group peace plan. Rather, UNPROFOR is an operation, as indicated by the

Secretary-General in paragraph 66 of his report, that has certain purposes to fulfil, most notably the alleviation of the conflict's consequences and the mitigation of the conflict itself. The current mandate could be best described as a developed mandate, that is to say, a mandate created in reaction to the unprecedented scenarios in which a United Nations mission had not found itself before. These unprecedented scenarios primarily resulted from the fact that one element, namely the Pale Serbs, were systematically and as policy directing military actions against a civilian population. This policy included the systematic obstruction of humanitarian aid to the besieged and threatened populations; the systematic holding of civilians in concentration and detention camps; and the systematic shelling of civilian population centres. The Security Council, while perhaps initially deploying UNPROFOR under traditional peace-keeping rules of engagement, was forced to mandate UNPROFOR with Chapter VII resolutions in reaction to the outrages perpetrated by the Pale Serbs. Subsequently, resolutions such as 776 (1992) and the safe area resolutions, 819 (1993), 824 (1993) and 836 (1993), were adopted.

The Working Group agrees with the Secretary-General's assessment that UNPROFOR's success depends upon the attitude of the "parties". However, keeping in mind the previous paragraph, the Working Group cannot agree with the numerous references in the report that tend to equate the legitimate Government of the Republic of Bosnia and Herzegovina and the Pale Serbs, whose leaders are now being investigated by the International War Crimes Tribunal. Two examples in particular warrant comment. In paragraph 28, the Secretary-General describes the denial of humanitarian assistance "to populations that the party concerned is trying to drive from their homes" as a difficulty impeding UNPROFOR's work. Nowhere is it stated that the Government of the Republic of Bosnia and Herzegovina has as policy or systematically, driven populations from their homes. On the contrary, the Government of the Republic of Bosnia and Herzegovina has successfully effectuated a policy within its armed forces compelling them to respect humanitarian law fully; when troops have deviated from this policy, the Government has aggressively pursued the perpetrators. For this highest dedication to humanitarian law, the Government of the Republic of Bosnia and Herzegovina deserves at least acknowledgement, and in no way deserves equation with those now under investigation at The Hague. In paragraph 65, the Secretary-General states that "both of the parties are determined to prosecute the war". The Government of the Republic of Bosnia and Herzegovina is the "party" that has accepted the five-nation Contact Group peace plan as of 14 July 1994, 11 months ago, and, despite seeing its population subject to intensified ethnic cleansing, shelling of population centres and many brought to the brink of starvation (i.e. Bihac), still maintains its commitment to that plan and has even engaged itself diplomatically with the Belgrade regime that originally prosecuted the ethnic cleansing campaign, in order to facilitate a peaceful solution.

As for the UNPROFOR mandate, the Working Group reasserts that there are no ambiguities, including in the context of Chapter VII and enforcement. In paragraph 26 of his report, the Secretary-General recalls that "self-defence was deemed to include situations in which armed persons attempted by force to prevent United Nations troops from carrying out their mandate". This was defined in the context of the language "all means necessary" contained in resolution 770 (1992). This permitted UNPROFOR to use force to facilitate

delivery of humanitarian assistance. While it is obviously preferable that assistance be delivered by means of cooperation rather than force, cooperation cannot be exclusively counted on from the Pale Serbs, who, according to the reports of the Special Rapporteur and others, reaffirm that denial of assistance to civilian populations is in concert with their policy of ethnic cleansing. Where negotiations fail to extract cooperation, other measures must be undertaken. These measures can include either the use of force or airdrops or other means not yet explored. Furthermore, "all necessary measures" is language contained in resolution 816 (1993), and was effectuated against Serbian aircraft (by the North Atlantic Treaty Organization (NATO) as an extension of UNPROFOR) in April of 1994, near Banja Luka. It is only logical that the language used in resolutions 770 (1992) and 816 (1993) be consistently applied, of course taking into account all risk factors. As for the first factor described in paragraph 29, measures can be undertaken to reduce the vulnerability of United Nations personnel should force be necessary, and as for the second, while UNPROFOR may not have the mandate to pre-empt with force the blockage of aid, it certainly does have the mandate to confront blockage under the Secretary-General's definition of self-defence as described in paragraph 26.

With regard to the safe areas, again the Working Group believes that there is no ambiguity. Resolution 836 (1993), in language and as viewed by the Security Council in the debate upon the adoption of resolution 836 (1993), permits UNPROFOR to use force to protect the safe areas and the civilians in them. Furthermore, the Working Group sees no inherent deficiencies in the safe areas regimes, other than the inadequate number of troops in the areas and their lack of equipment therein. The mandate is available for UNPROFOR, and by extension NATO, to neutralize weapons violating the safe areas. As for reprisals against United Nations personnel in these safe areas, redeployment is a viable option to minimize that threat. As for paragraph 52 of the Secretary-General's report, the Working Group believes that the liaison purposes of some United Nations personnel is of second priority to their safety and of the implementation of the safe area mandate.

As for the exclusion zones, again the mandate is clear. It should be recalled that the exclusion zone and weapons collections points were set up as an alternative to air strikes; however, if weapons collections points, in the context of reprisals against United Nations personnel, become an obstacle in implementing the exclusion zones, then these points should be abandoned and the weapons within them neutralized by air power to the fullest extent possible. In this context, when an offending weapon cannot be located, other targets, under the principle of "judicious response", should be targeted as a means towards compliance.

As for the options presented by the Secretary-General in paragraph 72 of his report, the Working Group believes that a combination of some of the elements contained therein that will strengthen UNPROFOR and thereby enable it to discharge its mandate effectively would be desirable. While not provided as an option, the Secretary-General states in paragraph 5 that UNPROFOR's "existing mandate and/or the way in which it implements that mandate should be adapted". In light of this, the Working Group is of the view that the existing mandate is appropriate, but the means to and by which it is implemented need to be adapted. Towards this end, the Working Group makes the following proposals.

First and foremost, UNPROFOR personnel must be increased and strengthened and provided with better equipment. The OIC countries have made numerous offers of troops and equipment. These offers, in the interests of Bosnia and Herzegovina's civilian population and the safety of UNPROFOR, should be accepted.

The Working Group advocates the removal of monitors from the safe areas, as they are potential hostages of the Pale Serbs, thus stifling the implementation of the mandate, and further advocates the deployment of UNPROFOR in larger numbers to improve their self-defence capabilities.

The Working Group advocates the establishment of land corridors for humanitarian aid, and believes that UNPROFOR deployment in larger numbers can secure and facilitate the establishment of these corridors. Also, air drops to besieged populations have proven successful in the past, and must be kept in foremost consideration as a means to relieve the suffering of the besieged populations.

The surface-to-air missile systems deployed by the Pale Serbs must be neutralized, if necessary, by the use of force.

Where cooperation is lacking from the relevant elements, the mandate must be implemented robustly to compel future cooperation and to maintain the credibility and dignity of the mission in the Republic of Bosnia and Herzegovina.

Along these lines, the Working Group welcomes the initiative of establishing a rapid reaction force, under the command and control of the United Nations, to assist UNPROFOR in the implementation of its mandate, especially the protection of the safe areas and the civilian population of the Republic of Bosnia and Herzegovina.

The Working Group reiterates its position concerning the arms embargo on the Republic of Bosnia and Herzegovina.

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15 June 1995
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Czech Republic, France, Germany, Honduras, Netherlands, Oman and United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Recalling all its earlier relevant resolutions,

Reaffirming the mandate of the United Nations Protection Force (UNPROFOR) as referred to in resolution 982 (1995) of 31 March 1995 and the need for its full implementation,

Having considered the report of the Secretary-General of 30 May 1995 (S/1995/444),

Having considered also the letter of the Secretary-General of 9 June 1995 and its annex (S/1995/470 and Add.1),

Noting that the rapid reaction force referred to in the above-mentioned letter will be an integral part of the existing United Nations peace-keeping operation, and that the status of UNPROFOR and its impartiality will be maintained,

Deeply concerned by the continuing armed hostilities in the territory of the Republic of Bosnia and Herzegovina,

Expressing its deep regret that the situation in the Republic of Bosnia and Herzegovina has continued to deteriorate and that the parties were not able to agree to a further cease-fire following the breakdown of the cease-fire agreement of 23 December 1994 (S/1995/8) and its subsequent expiration on 1 May 1995,

Gravely concerned that the regular obstruction of deliveries of humanitarian assistance, and the denial of the use of Sarajevo airport, by the Bosnian Serb side threaten the ability of the United Nations in Bosnia and Herzegovina to carry out its mandate,

Condemning in the strongest possible terms all attacks by the parties on UNPROFOR personnel,

Condemning also the increasing attacks on the civilian population by Bosnian Serb forces,

Determined to enhance the protection of UNPROFOR and to enable it to carry out its mandate,

Noting the letter of 14 June 1995 (S/1995/483, annex) from the Foreign Minister of the Republic of Bosnia and Herzegovina welcoming the reinforcement of UNPROFOR,

Stressing the importance at this juncture of renewed efforts to achieve an overall peaceful settlement,

Underlining once again the urgent need for acceptance by the Bosnian Serb party of the Contact Group peace plan as a starting point, opening the way to the negotiation of such an overall peaceful settlement,

Reaffirming the sovereignty, territorial integrity and political independence of the Republic of Bosnia and Herzegovina,

Reaffirming further that the Republic of Bosnia and Herzegovina, as a State Member of the United Nations, enjoys the rights provided for in the Charter of the United Nations,

Determining that the situation in the former Yugoslavia continues to be a threat to international peace and security,

Reaffirming its determination to ensure the security of the United Nations Peace Forces (UNPF)/UNPROFOR and its freedom of movement for the accomplishment of all its missions, and to these ends, acting under Chapter VII of the Charter of the United Nations,

1. Demands that the Bosnian Serb forces release immediately and unconditionally all remaining detained UNPROFOR personnel, and further demands that all parties fully respect the safety of UNPROFOR personnel, and others engaged in the delivery of humanitarian assistance, and ensure their complete freedom of movement;

2. Emphasizes that there can be no military solution to the conflict, stresses the importance it attaches to vigorous pursuit of a political settlement, and reiterates its demand that the Bosnian Serb party accept the Contact Group peace plan as a starting point;

3. Calls upon the parties to agree without further delay to a cease-fire and a complete cessation of hostilities in the Republic of Bosnia and Herzegovina;

4. Demands that all parties allow unimpeded access for humanitarian assistance to all parts of the Republic of Bosnia and Herzegovina and, in particular, to the safe areas;

5. Demands further that the Bosnian Serb forces comply immediately with the agreement of 5 June 1992 (S/24075, annex) and ensure unimpeded access by land to Sarajevo;

6. Demands that the parties respect fully the status of the safe areas and in particular the need to ensure the safety of the civilian population therein;

7. Underlines the need for a mutually agreed demilitarization of the safe areas and their immediate surroundings and the benefits this would bring to all parties, in terms of the cessation of attacks on the safe areas and of launching military attacks therefrom;

8. Encourages, in this context, the Secretary-General further to intensify efforts aimed at reaching agreement with the parties on the modalities for demilitarization, taking particular account of the need to ensure the safety of the civilian population, and calls upon the parties to cooperate fully with these efforts;

9. Welcomes the letter of the Secretary-General of 9 June 1995 on the reinforcement of UNPROFOR and the establishment of a rapid reaction capacity to enable UNPF/UNPROFOR to carry out its mandate;

10. Decides accordingly to authorize an increase in UNPF/UNPROFOR personnel, acting under the present mandate and on the terms set out in the above-mentioned letter, by up to 12,500 additional troops, the modalities of financing to be determined later;

11. Authorizes the Secretary-General to carry forward the implementation of paragraphs 9 and 10 above, maintaining close contact with the Government of the Republic of Bosnia and Herzegovina and others concerned;

12. Requests the Secretary-General, in taking any decisions with respect to the deployment of UNPROFOR personnel, to take full account of the need to enhance their security and minimize the dangers to which they might be exposed;

13. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/479
13 June 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 3 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to inform you of the continued violations of the cease-fire resolution and the Tehran agreement concerning the area of separation between Iraq and Iran that were committed by the Iranian side between 25 April and 19 May 1995, as shown in the list annexed hereto.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-17583 (E) 140695 140695 150695

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Annex

Iranian violations of the cease-fire and the 1991 Tehran agreement, 25 April-19 May 1995

1. 25 April 1995

At 1600 hours an Iranian patrol boat carrying four civilians armed with a Kalashnikov assault rifle and two pistols approached the Iraqi side in the area opposite the Karun river.

2. 25 April 1995

The Iranian side laid the foundation of small building at coordinates 923748 (Kharnubiyah) inside the area of separation.

3. 25 April 1995

The Iranian side dug a trench 4 metres long and 1.5 metres deep at coordinates 910811 (Kut al-Sawadi).

4. 26 April 1995

At 0400 hours three Iranian military pick-up vehicles carrying PKC weapons and a number of Iranian soldiers were observed on the Iranian shore of the Shatt al-Arab near Muhammarah port. At 0500 hours the vehicles withdrew to the town of Muhammarah.

5. 2 May 1995

At 0600 hours a six-man Iranian patrol on board an Iranian vessel, dressed in civilian clothes and carrying Kalashnikov assault rifles, abducted two Iraqi fishermen, Raysan Sukkar and Jawad Sukkar, who were fishing in Iraqi territorial waters in the Shatt al-Arab at coordinates 3934 in the Ma'amir area.

6. 5 May 1995

The erection of a white tower was observed at the headquarters of the Iranian detachment at coordinates 951279 opposite the Iraqi Shush guard post. It was occupied by a soldier on watch inside the area of separation.

7. 7 May 1995

At 0800 hours eight individuals from the Iranian side were observed repairing the Iranian guard post at coordinates 8409 in front of the Jallat guard post inside the area of separation.

8. 13 May 1995

At 1030 hours armed Iranian vessels seized the Russian tugboat Dunay on its arrival at buoy 12 for the purpose of towing the foreign vessel Kotamas in the Shatt al-Arab. At 0730 hours on 15 May the tugboat was released.

9. 14 May 1995

At 1130 hours armed Iranian vessels seized the Panamanian tugboat Atlantic Rescuer, which was towing the Panamanian vessel Pearl City, on its arrival at buoy 12.

10. 17 May 1995

At 0600 hours an Iranian patrol consisting of white and red vessels with two civilians on board each vessel left coordinates 43697 on a southerly course in the Shatt al-Arab. At 1635 hours the patrol returned to its point of departure.

11. 17 May 1995

At 0700 hours an engineering unit consisting of an excavator, a Poclain and three dump trucks was observed digging on the Iranian shore of the Shatt al-Arab in the Muhammarah area at coordinates 35707.

12. 18 May 1995

At 1700 hours six individuals from the Iranian side were observed setting up a single-phase machine-gun on a shelter at coordinates 51450 in front of the Fakkah guard post inside the area of separation.

13. 19 May 1995

At 1400 hours the Iranian side used blocks to construct a small guard post one metre long and two metres high, at coordinates 923749 (Kharnubiyah).

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General Assembly
Security Council

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GENERAL

A/49/919
S/1995/480
13 June 1995
ENGLISH
ORIGINAL: RUSSIAN

GENERAL ASSEMBLY
Forty-ninth session
Agenda item 39
THE SITUATION IN BOSNIA AND HERZEGOVINA

SECURITY COUNCIL
Fiftieth year

Letter dated 12 June 1995 from the Permanent Representative of Kazakstan to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith the text of a statement by the Ministry of Foreign Affairs of the Republic of Kazakstan concerning the situation in Bosnia and Herzegovina (see annex).

I should be grateful if the text of this letter and the annex to it were circulated as an official document of the forty-ninth session of the General Assembly, under agenda item 39, and also of the Security Council.

(Signed) Akmaral Kh. ARYSTANBEKOVA
Ambassador
Permanent Representative of the Republic
of Kazakstan to the United Nations

95-17600 (E) 130695 130695 140695

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ANNEX

Statement by the Ministry of Foreign Affairs of Kazakstan
dated 12 June 1995

The Ministry of Foreign Affairs of the Republic of Kazakstan expresses concern in connection with the deterioration of the situation in Bosnia and Herzegovina. It is regrettable that the actions by the Bosnian Serbs are making it impossible to carry out the mandate of the United Nations Protection Force (UNPROFOR) with regard to the safe areas, freedom of movement, the delivery of emergency humanitarian assistance and the security of United Nations personnel.

Kazakstan believes that it is necessary to extend the period of validity of the agreement on halting military operations and also advocates the mutual recognition of the States of the former Yugoslavia.

The Ministry of Foreign Affairs considers that it is important to continue multilateral diplomatic efforts in order to halt the escalation in fighting in the region and enhance the effectiveness of the United Nations peace-keeping mission.

UNITED
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Security Council

Distr.
GENERAL

S/1995/481
13 June 1995

ORIGINAL: ENGLISH

NOTE BY THE SECRETARY-GENERAL

The Secretary-General has the honour to transmit to the members of the Security Council the attached communication, dated 13 June 1995, which he has received from the Director General of the International Atomic Energy Agency (IAEA).

95-17668 (E) 130695

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Annex

Letter dated 13 June 1995 from the Director General of the International Atomic Energy Agency addressed to the Secretary-General

Security Council resolution 699 (1991), approved on 17 June 1991, requests, inter alia, the Secretary-General to submit to the Security Council progress reports on the implementation of the plan for the destruction, removal or rendering harmless of the items specified in paragraph 12 of resolution 687 (1991). Such reports are to be submitted every six months after the adoption of resolution 699 (1991). The next report is therefore due on 17 June 1995.

During the period under review, from 17 December 1994 to 17 June 1995, no development is to be reported relevant to the destruction, removal or rendering harmless of the items specified in paragraph 12 of resolution 687 (1991), nor in any other area of IAEA's activities in Iraq beyond what was reported to the Council in document S/1995/287 of 11 April 1995.

The implementation of the IAEA's ongoing monitoring and verification plan continues. A detailed report on these activities will be submitted, as requested in resolution 715 (1991), by 17 October 1995.

Kindly bring the content of this letter to the attention of the Council.

(Signed) Hans BLIX

UNITED NATIONS **A S**

General Assembly
Security Council

Distr.
GENERAL

A/50/219
S/1995/482
13 June 1995

ORIGINAL: ENGLISH

GENERAL ASSEMBLY
Fiftieth session
Item 81 of the preliminary list*
MAINTENANCE OF INTERNATIONAL SECURITY

SECURITY COUNCIL
Fiftieth year

Letter dated 13 June 1995 from the Chargé d'affaires a.i. of the Permanent Mission of Yugoslavia to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter from H.E. Mr. Vladislav Jovanovic, Minister for Foreign Affairs of the Federal Republic of Yugoslavia, addressed to you.

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly under agenda item 81 of the preliminary list and of the Security Council.

(Signed) Dragomir DJOKIC
Ambassador
Chargé d'affaires a.i.

* A/50/50/Rev.1.

95-17674 (E) 130695 140695

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Annex

I am writing to draw your attention to the very difficult situation, with tragic consequences for the Serbian civilian population, in the United Nations protected area (UNPA) Sector West (Western Slavonia), brought about by the aggression of Croatia against this region and to point to the serious political implications that this act of aggression may have for the future peace process and the role of the United Nations.

By their action against, and occupation of, the entire territory of UNPA Sector West (Western Slavonia), the armed forces of Croatia, in conjunction with special police units and armed paramilitary groups, flagrantly violated all relevant resolutions and other documents of the Security Council requesting the parties in conflict to refrain from the use of force and to seek a lasting and just solution to the relations between peoples and newly created States in the territory of the former Yugoslavia by political means. This military action of Croatia constitutes a gross violation of the cease-fire agreement of 29 March 1994. It was done in direct contravention of, and disregard for, all the efforts the international community has made on the basis of the mandate or under the auspices of the Security Council to maintain peace and commence a negotiating process, aimed at finding an agreed political solution. Not only has Croatia's aggression seriously threatened the security of the United Nations peace forces in UNPA Sector West, but it has also rendered difficult, even almost impossible, their further peace mission in the newly created conditions.

The principal goal of the armed action of Croatia was to annihilate the Serbian civilian population, terrorize it and complete the ethnic cleansing in Western Slavonia that Croatia began in 1991. The Serbian civilian population was the target of ruthless shelling by Croatian artillery, armour and air force, which cannot be justified by any military reasons. By these acts, Croatia trampled upon each and every provision of the Convention on the Prevention and Punishment of the Crime of Genocide and the Geneva Conventions.

Abundant evidence of these atrocities has been provided by statements given by refugees to representatives of humanitarian organizations, the press and official authorities of the Federal Republic of Yugoslavia, as well as by numerous eyewitness accounts, reports of church dignitaries and prominent public figures who found themselves in the region at the time of the aggression or visited it immediately after the cessation of armed activities. Among the witnesses are also the representatives of the United Nations, European Union and International Committee of the Red Cross (ICRC) missions.

There is evidence that, on 1 and 2 May 1995, the Croatian armed forces committed atrocities by massacring the columns of civilian refugees near Nova Varos and on the road near Okucani, as well as by brutally killing civilians and destroying and looting their property in the villages of Pankovac, Medari, Smrtic, Vrbovljani, Covac, Gredjani and Donji Bogicevci. Similar atrocities were committed in other places where foreign observers were not present.

The statements of your special representative, Yasushi Akashi, and the initial statements of the Special Rapporteur on the situation of human rights in the territory of the former Yugoslavia, Tadeusz Mazowiecki, confirm that mass atrocities against the Serbian civilians were committed in Western Slavonia. Mr. Akashi confirmed the existence of reports on the violation of elementary human rights and brutality against Serbs in Western Slavonia. After his visit to Western Slavonia, Mr. Mazowiecki said that atrocities had been committed, that human rights had been violated, but that information could be only partially verified and that civilians had been murdered, which could not be justified by military reasons.

By issuing contradictory statements, Croatian officials in fact refused to reveal the exact number of persons killed and missing. The organizations of Serbs in Croatia are very worried over the fate of between 380 and 1,000 civilians and prisoners who are known to have been captured and taken to an unknown destination. The fate of between 1,000 to 1,200 wounded is also unknown. Humanitarian reasons make it incumbent upon the United Nations and ICRC to press the Croatian authorities to clarify the fate of these persons.

Despite an almost total information blockade and the restriction of the movement of representatives of international organizations by the Croatian side under various pretexts, foreign media have managed to inform the world public about some of the atrocities and the systematic drive of the Croatian military and civilian authorities to erase the traces of these atrocities by burning the dead, burying them in unmarked mass graves or by washing the streets and roads to remove the evidence. Extensive reports accusing the Croatian side of attempts to cover up the crimes were carried among others by Reuters, the Associated Press (AP), The New York Times, the Columbia Broadcasting System (CBS) and the British Broadcasting Corporation (BBC).

I feel duty-bound to draw your attention to the fact that it is of vital importance for the continuation of the peace mission in this region that the United Nations guarantee the remaining Serbian population the minimum personal safety and respect for their human rights. Since the local population has no confidence in Croatian authorities, it is necessary that UNPA Sector West (Western Slavonia) remain under the protection of the United Nations and that Croatian armed forces withdraw from the occupied areas.

A precondition for resuming the political process of solving the crisis peacefully is also the return of confidence in the United Nations protection mechanism. Disquieting reports about new aggressive actions of the Croatian forces in UNPA Sector South and the attacks against the unprotected villages of Cetina, Vrlika, Crni Lug, Beulje and others, whose populations have fled their homes, are a very bad omen for the developments that may ensue in the region and beyond if a tacit nod of approval is given to aggression.

The first step on the road to rebuilding the confidence would be an effective and thorough United Nations investigation of the atrocities committed against the Serbian civilian population and other categories of persons protected in armed conflicts, members of the army of the Republic of Serbian Krajina taken prisoner, wounded or sick.

If the atrocities and the responsibility of those who committed and ordered them are not established quickly, it is not to be expected that the peace that we all need so much and a serious negotiating process will be re-established soon and that between 12,000 and 17,000 Serbian refugees, who fled Croatian terror and intimidation, will ever return to rejoin their compatriots of a mere 1,200 who still remain in Western Slavonia.

Of particular concern are the attempts to diminish or cover up the atrocities committed against the population of Western Slavonia. In that context, particularly worrisome is the departure of Special Rapporteur Mazowiecki from his initial statements and the allegations of mass atrocities. By retracting his own reports the Special Rapporteur has displayed a lack of genuine interest in establishing the true facts and the size of atrocities committed against the Serbian civilian population. Nevertheless, the statements and ground reports of the Special Rapporteur provide compelling evidence to the General Assembly and the Commission on Human Rights of the brutality and mass violations of human rights committed by Croatian authorities against the Serbian civilian population during the aggression against UNPA Sector West, which have been confirmed also by other sources such as the United Nations, the Office of the United Nations High Commissioner for Refugees, ICRC and other representatives in the field.

There is no doubt that the passivity of the international community and its failure to prevent the aggression and eliminate its consequences are a cause of great disappointment and loss of confidence of the remaining Serbian population in Western Slavonia and many refugees in the protection and peace mission of the United Nations. The failure to establish the responsibility for, and to punish the perpetrators of, the recent atrocities can only serve to invest the policy of genocide against the Serbian people with a cloak of legality in a region overshadowed by the memories of the notorious World War Two Jasenovac concentration camp, where hundreds of thousands of Serbs, Jews and Romanies were exterminated by the Nazi creation and ally, the "Independent State of Croatia".

Vladislav JOVANOVIC
Federal Minister for Foreign Affairs

UNITED
NATIONS

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Security Council

Distr.
GENERAL

S/1995/483
13 June 1995

ORIGINAL: ENGLISH

LETTER DATED 14 JUNE 1995 FROM THE CHARGÉ D'AFFAIRES A.I. OF THE PERMANENT MISSION OF BOSNIA AND HERZEGOVINA TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

I have the honour to transmit herewith a letter dated 14 June 1995, from H.E. Mr. Muhamed Sacirbey, Minister for Foreign Affairs, addressed to you.

May I ask for your kind assistance in circulating this letter as a document of the Security Council.

(Signed) Ivan Z. MISIC
Chargé d'affaires

95-17715 (E) 140695 150695

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Annex

Letter dated 14 June 1995 from the Minister for Foreign Affairs of the Republic of Bosnia and Herzegovina addressed to the President of the Security Council

In conjunction with our discussion and appropriate request, we are prepared to consider the deployment of the "rapid reaction capacity" and the additional troops therein as part of the United Nations Protection Force (UNPROFOR). We agree that it is critical now for UNPROFOR to possess the necessary capacity in order better to implement its mandate, while enhancing the security of its troops in view of the Serbian hostage-taking, attacks, threats and resorts to terrorism.

We are pleased to offer our cooperation in this effort in the context of our sovereign responsibilities, including the defence of the population and territorial integrity of the Republic of Bosnia and Herzegovina. UNPROFOR is at a crossroads, and its future mission and presence in the Republic of Bosnia and Herzegovina is to be determined by its commitment to this latest effort. Expressing our most sincere desire for the success of this mission, we hereby offer our consent for this new deployment and adjoining effort.

Muhamed SACIRBEY
Minister for Foreign Affairs

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/484
14 June 1995

ORIGINAL: ENGLISH

LETTER DATED 13 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF TURKEY TO THE UNITED NATIONS ADDRESSED TO THE PRESIDENT OF THE SECURITY COUNCIL

With reference to the letter from the Permanent Representative of Iraq to the United Nations addressed to the President of the Security Council dated 5 May 1995 (S/1995/361), I have the honour to transmit herewith the text of a statement made by the spokesperson of the Ministry of Foreign Affairs of Turkey in Ankara on 1 May 1995 and issued as a press release in New York on 8 May 1995.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) İnal BATU
Permanent Representative

95-17785 (E) 140695 150695

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Annex

Statement by the spokesperson of the Ministry of Foreign Affairs of Turkey dated 1 May 1995

Recently, there have been speculations in the press pertaining to the so-called redemarcation of the border between Turkey and Iraq, without any loss of land by either side, in order to prevent the PKK (Kurdish Workers' Party) terror organization's infiltration.

There has been no decision whatsoever by the Government of Turkey for a new border arrangement with Iraq. Neither have there been consultations with the Iraqi Government on this issue. Therefore, all the press reports in that regard are totally unfounded and constitute a misrepresentation of the facts.

Although there have been talks with local leaders in northern Iraq on border security issues, the redemarcation of the Turkish-Iraqi border has not been an issue on the agenda of these discussions.

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Security Council

Distr.
GENERAL

S/1995/485
14 June 1995
ENGLISH
ORIGINAL: ARABIC

LETTER DATED 14 JUNE 1995 FROM THE PERMANENT REPRESENTATIVE OF IRAQ TO THE UNITED NATIONS ADDRESSED TO THE SECRETARY-GENERAL

On instructions from my Government, I have the honour to transmit to you herewith a table showing the 342 miscellaneous bombs, rockets, shells, mines and other ordnance, some of the remnants of the 30-Power aggression against Iraq, that were found and disposed of in all parts of Iraq in the period 1-31 May 1995.

I should be grateful if you would have this letter and its annex circulated as a document of the Security Council.

(Signed) Nizar HAMDOON
Ambassador
Permanent Representative

95-17804 (E) 150695 150695 160695

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Annex

Monthly bomb-disposal statement, 1-31 May 1995

No.	City or governorate	Number and type of ordnance disposed of
1	Baghdad	4 Italian-made anti-personnel mines 1 Russian-made hand-grenade 1 Russian-made 120-mm mortar shell 70 anti-personnel mines
2	Ramadi	1 2-kg high-explosive charge
3	Wasit	4 Russian-made anti-tank mines 4 Iraqi-made anti-personnel mines 1 DShK round 1 82-mm mortar shell
4	Basra	32 cluster bombs 11 spherical bombs 59 60-mm mortar shells 4 82-mm mortar shells 1 100-mm artillery shell 1 defence hand-grenade
5	Babil	1 assault grenade
6	Muthanna	25 sea mines 13 mortar shells 3 obsolete spherical bombs 1 Strela missile
7	Maysan	3 60-mm mortar shells 1 assault hand-grenade
8	Diyala	100 Russian-made 120-mm artillery shells

UNITED
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Security Council

Distr.
GENERAL

S/1995/486
15 June 1995

ORIGINAL: ENGLISH

Draft resolution

The Security Council,

Recalling its resolution 968 (1994) of 16 December 1994 and the statements of the President of the Security Council of 30 October 1992 (S/24742), of 23 August 1993 (S/26341), of 22 September 1994 (S/PRST/1994/56), of 8 November 1994 (S/PRST/1994/65), of 12 April 1995 (S/PRST/1995/16) and of 19 May 1995 (S/PRST/1995/28),

Having considered the report of the Secretary-General of 10 June 1995 (S/1995/472),

Reaffirming its commitment to the sovereignty and territorial integrity of the Republic of Tajikistan and to the inviolability of its borders,

Welcoming the positive outcome of the meeting between the President of the Republic of Tajikistan and of the leader of the Islamic Revival Movement of Tajikistan held in Kabul from 17 to 19 May 1995 (S/1995/429) and of the fourth round of the inter-Tajik talks held in Almaty from 22 May to 1 June 1995 (S/1995/460, annex),

Welcoming also in particular, the extension for the period of three months, until 26 August 1995, of the Agreement on a Temporary Cease-Fire and the Cessation of Other Hostile Acts on the Tajik-Afghan Border and within the Country for the Duration of the Talks, signed in Tehran on 17 September 1994 (S/1994/1102, annex 1), as well as the agreements on further confidence-building measures,

Noting with appreciation that the parties started in-depth discussions on fundamental institutional issues and consolidation of the statehood of Tajikistan and confirmed their readiness to search for practical solutions to the above-mentioned problems,

Commending the efforts of the Secretary-General and his Special Envoy as well as of the countries and regional organizations acting as observers at the inter-Tajik talks which contributed to reaching these agreements,

Emphasizing that the primary responsibility rests with the Tajik parties themselves in resolving their differences, and that the international assistance provided by this resolution must be linked to the process of national reconciliation and the promotion of democracy,

Recalling that the Tajik parties have reaffirmed their commitment to resolve the conflict and to achieve national reconciliation in the country exclusively through peaceful, political means on the basis of mutual concessions and compromises, and urging them to take concrete steps to this end,

Stressing the urgency of the cessation of all hostile acts on the Tajik-Afghan border,

Noting the decision of the Council of the Heads of State of the Commonwealth of Independent States (CIS) of 26 May 1995 to extend the mandate of the CIS Collective Peace-keeping Forces in Tajikistan until 31 December 1995 (S/1995/459, annex 1),

Recalling the joint appeal by the Presidents of the Republic of Kazakstan, the Kyrgyz Republic, the Russian Federation, the Republic of Tajikistan and the Republic of Uzbekistan of 10 February 1995 addressed to the President of the Security Council (S/1995/136), the statements of Ministers for Foreign Affairs of these countries of 24 August and of 30 September 1993, of 13 October 1994, of 26 January and 20 April 1995 addressed to the Secretary-General (S/26357, S/26610, S/1994/1178, S/1995/126 and S/1995/336),

Taking note with appreciation of the statement of the Ministry of Foreign Affairs of the Russian Federation of 26 April 1995 that the Russian border forces and the Russian military personnel of the CIS Collective Peace-keeping Forces stationed in Tajikistan, respecting and recognizing the agreements between the Tajik parties, do not violate them in the performance of their duties,

Expressing its satisfaction over the close contacts of the United Nations Mission of Observers in Tajikistan (UNMOT) with the parties to the conflict, as well as over its close liaison with the CIS Collective Peace-keeping Forces, with the border forces, and with the Mission of the Organization for Security and Cooperation in Europe (OSCE) in Tajikistan,

1. Welcomes the report of the Secretary-General of 10 June 1995;

2. Decides to extend the mandate of UNMOT until 15 December 1995 subject to the proviso that the Agreement of 17 September 1994 remains in force and the parties continue to be committed to an effective cease-fire, to national reconciliation and to the promotion of democracy and further decides that the mandate will remain in effect unless the Secretary-General reports that these conditions have not been met;

3. Requests the Secretary-General to continue to pursue through the good offices of his Special Envoy and with the assistance of the countries and regional organizations acting as observers at the inter-Tajik talks, efforts to speed up the progress towards national reconciliation;

4. Requests also the Secretary-General to report to the Council every three months on the progress towards national reconciliation and on the operations of UNMOT;

5. Reiterates its call upon the parties to cooperate fully with UNMOT, and to ensure safety and freedom of movement of United Nations personnel;

6. Stresses the urgent need for the parties to achieve a comprehensive political settlement of the conflict through the inter-Tajik dialogue and to cooperate fully with the Secretary-General's Special Envoy in this regard;

7. Calls upon the parties, in particular, to achieve as soon as possible substantive progress on fundamental institutional and political issues;

8. Calls upon the parties to agree to the early convening of a further round of inter-Tajik talks and to implement without delay all confidence-building measures agreed at the fourth round of these talks, inter alia, on the exchange of detainees and prisoners of war and on intensification of the efforts by the parties to ensure the voluntary return, in dignity and safety, of all refugees and displaced persons to their homes;

9. Encourages the continuation of direct political dialogue between the President of the Republic of Tajikistan and the leader of the Islamic Revival Movement of Tajikistan;

10. Emphasizes the absolute necessity for the parties to comply fully with all the obligations they have assumed and urges them, in particular, to observe strictly the Agreement of 17 September 1994 and to agree to its substantial extension;

11. Stresses the urgency of the cessation of all hostile acts on the Tajik-Afghan border and calls upon all States and others concerned to discourage any activities that could complicate or hinder the peace process in Tajikistan;

12. Requests the Secretary-General to report to the Council on his discussions with relevant Afghan authorities regarding a possible deployment of a small number of United Nations personnel in northern Afghanistan and expresses its willingness to consider a relevant recommendation of the Secretary-General in the context of the implementation of this resolution;

13. Underlines the need to pursue the close cooperation already existing between UNMOT and the parties to the conflict, as well as its close liaison with the CIS Collective Peace-keeping Forces, with the border forces and with the OSCE Mission in Tajikistan;

14. Welcomes the obligation assumed by the Government of the Republic of Tajikistan to assist the return and the reintegration of refugees as well as the obligations by the parties to cooperate in ensuring the voluntary return, in dignity and safety, of all refugees and displaced persons to their homes, inter alia by stepping up the activities of the Joint Commission on problems relating to refugees and displaced persons from Tajikistan formed by the parties in accordance with the Protocol signed on 19 April 1994 (S/1994/542, annex II), and

in this context notes the request by the parties addressed to international organizations and States to provide additional substantial financial and material support to the refugees and internally displaced persons and to the Joint Commission on refugees;

15. Welcomes the commitment of some Member States to the voluntary fund for contributions established by the Secretary-General in accordance with its resolution 968 (1995) and reiterates its encouragement to other States to contribute thereto;

16. Welcomes also the humanitarian assistance already provided and calls for greater contributions from States for humanitarian relief efforts of the United Nations and other international organizations;

17. Decides to remain actively seized of the matter.

UNITED NATIONS **S**

Security Council

Distr.
GENERAL

S/1995/487
15 June 1995

ORIGINAL: ENGLISH

LETTER DATED 15 JUNE 1995 FROM THE PRESIDENT OF THE SECURITY COUNCIL ADDRESSED TO THE SECRETARY-GENERAL

The members of the Security Council have considered your fourth progress report on the United Nations Angola Verification Mission (UNAVEM III) (S/1995/458). They welcome the positive developments in Angola that you reported, including continued maintenance of the cease-fire, the start of the deployment of United Nations infantry battalions, the decision on the future strength of the Angolan Armed Forces, and improved access to all parts of the country for humanitarian assistance. They strongly support the ongoing dialogue between the two Angolan parties and encourage a further meeting between President dos Santos and Mr. Savimbi.

The members of the Council note with concern that, despite considerable progress in the implementation of the Lusaka Protocol, the peace process is still behind schedule. The members of the Council remain concerned at the problem of mines in the country. Lack of progress in mine clearance has an impact not only on the deployment of UNAVEM III but also on the ability of the population to return to their homes and resume agricultural activity. The members of the Council therefore endorse your call upon the parties to reinforce their recent actions in the fields of mine clearance and road and bridge repair. They agree that the international community should support these vital efforts. They also support your appeal to the parties to work out modalities for the formation of the new integrated armed forces and to begin preparations for the quartering of the Union for the Total Independence of Angola troops and the withdrawal of the rapid reaction police to barracks.

The members of the Council learned with distress that, in two tragic incidents, a United Nations police observer lost his life and a United Nations military observer was wounded. In this connection, they recall the responsibility of the parties for the safety and security of all United Nations personnel in Angola.

The members of the Council will continue to monitor the situation in Angola and look forward to your next report.

(Signed) Detlev GRAF ZU RANTZAU
President of the Security Council

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